Mr. P. P. Devassi *(Trichur-North)*: In view of the fact that the charge-officer may be one in Chittur and the accused may be arrested at a time when the District Magistrate is at Ernakulam and that the accused may be later on found to be innocent, the accused will have to be in jail for 2 or three days, cannot the Government do away with this rule?

Mr. M. Sivarama Menon *(Advocate-General)*: The Charge officer may record in the F. I. R. whether he has any objection or not to the accused being released on bail.

Mr. P. P. Devassy *(Trichur-North)*: May I know whether with the submission of the F.I.R. the charge also may be laid?

Mr. M. Sivarama Menon *(Advocate-General)*: It will not be possible in all cases to lay charge because further investigation will be necessary in some cases.

Mr. P. P. Devassi *(Trichur-North)*: Is it not a fact that in ordinary cases charge is laid along with the F.I.R.

Mr. M. Sivarama Menon *(Advocate-General)*: No. Not always.

Mr. A. B. Salem *(Mattancheri)*: May I know whether the executive has at any time made any remarks regarding punishments awarded?

Mr. M. Sivarama Menon *(Advocate-General)*: No. The executive cannot make any observation regarding punishments awarded by the judiciary.

Mr. A. B. Salem *(Mattancheri)*: Has any department made any remarks regarding punishments meted out?

Mr. M. Sivarama Menon *(Advocate-General)*: You mean by the executive?

Mr. A. B. Salem *(Mattancheri)*: Whether any Department has made any remark regarding the punishment being inadequate.

Mr. M. Sivarama Menon *(Advocate-General)*: In Calendar revision the District Magistrate can pass such remarks. The High Court can pass such remarks.

Mr. A. B. Salem *(Mattancheri)*: They are the judiciary. They are entitled to say many things. Has any other department done such a thing?

Mr. M. Sivarama Menon *(Advocate-General)*: No.

Mr. P. P. Devassi *(Trichur-North)*: Will the Government be pleased to order that hereafter at least an observation be made in the F.I.R. whether it is a case where the accused could be let on bail or not.

Mr. M. Sivarama Menon *(Advocate-General)*: That will be looked into.

Mr. A. B. Salem *(Mattancheri)*: May I know the reason why the burden of proof is on the accused in these cases?

Mr. M. Sivarama Menon *(Advocate-General)*: This is a British Indian Act made applicable to the State *mutatis mutandis* and it is an emergency piece of legislation enacted to meet an exceptional situation.

AMINS—REVISION OF SALARY, ETC.

154. Mr. V. J. Mathai *(Planters)*: Will Government be pleased to state whether considering the very responsible work of the amins and also their power for good and evil the Government will raise their status and salary?

Mr. M. Sivarama Menon *(Advocate-General)*: This is a question to be considered in a scheme of general revision of salaries. Government see no reason to consider the case of amins in particular.

NUMBER OF APPEALS AND REVISION CASES BEFORE THE HIGH COURT IN 1117

155. Mr. A. V. Moothedan *(Chalakkudi)*: Will Government be pleased to state.—

(*a*) the number of appeals and revision cases that came up for hearing before the High Court during the year 1117;

(*b*) how many were decided by the Full bench and Division Benches respectively;

(*c*) the number of cases in which leading judgments were written by each Judge;

(*d*) of these cases how many are reported in Cochin Law Reports?

Mr. M. Sivarama Menon *(Advocate-General)*:

(*a*)

Appeals	123	C. R. P.	170
2nd Appeals	166	Cr. Appeals	40
C. M. A.	41	Cr. Revision	23
		Total	563

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